

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. (if known see 37 C.F.R. 1.5)  
09/980,762INTERNATIONAL APPLICATION NO.  
PCT/US00/11310INTERNATIONAL FILING DATE  
27 April 2000 (27.04.2000)PRIORITY DATE CLAIMED  
30 April 1999 (30.04.1999)TITLE OF INVENTION **MUTANT HUMAN CD80 AND COMPOSITIONS FOR AND METHODS OF MAKING AND USING THE SAME**APPLICANT(S) FOR DO/EO/US **David B. WEINER, et al.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - Sequence Listing in computer readable form (1 diskette) and written form (5 sheets).
  - Statement to Support Filing and Submission.
  - Petition and Fee for Extension of Time.
  - Copy of Notification of Missing Requirements dated January 31, 2002.

EXPRESS MAIL Mailing Label No. EV 183501380 US  
Date of Deposit: 03 September 2002

EV183501380US

U.S. APPLICATION NO. (if known 37 C.F.R. 1.5)  
09/980,762

INTERNATIONAL APPLICATION NO.  
PCT/US00/11310

ATTORNEY DOCKET NUMBER  
UPAP-0495

17. The following fees are submitted:

**Basic National Fee (37 CFR 1.492(a)(1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO.....\$1,040.00

International preliminary examination fee (37 CFR 1.482 not paid to USPTO  
but International Search Report has been prepared by the EPO or JPO.....\$890.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$740.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) but  
all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$710.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and  
all claims satisfied provisions of PCT Article 33(1)-(4).....\$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

CALCULATIONS      PTO USE ONLY

Surcharge of \$130.00 for furnishing the oath or declaration later than \_ 20 X 30 months from  
the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

Claims	Number Filed	Number Extra	Rate		
Total claims	- 20 =	20	X \$18.00	\$ 360.00	
Independent Claims	- 3 =		x \$84.00	\$	
Multiple dependent claims(s) (if applicable)			+ \$280.00	\$ 280.00	

**TOTAL OF ABOVE CALCULATIONS =**

\$ 770.00

\_\_\_ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are  
reduced by 1/2.

\$

**SUBTOTAL =**

\$ 770.00

Processing fee of \$130.00 for furnishing the English translation later than \_ 20 \_ 30 months  
from the earliest claimed priority date (37 CFR 1.492(f)).

+

\$

**TOTAL NATIONAL FEE =**

\$ 770.00

Fee for Petition for Extension of Time

+

\$1,960.00

**TOTAL FEES ENCLOSED =**

\$2,730.00

09/06/2002 MKAYPAGH 00000127 09960762

01 FC:154 130.00 OP  
02 FC:366 360.00 OP  
03 FC:280 280.00 OP

Amount to be:  
refunded \$

charged \$

a. X A check in the amount of \$ 2,730.00 to cover the above fee is enclosed.

b. \_\_\_ Please charge my Deposit Account No. 23-3050 in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-3050. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

**Mark DeLuca**  
Woodcock Washburn LLP  
One Liberty Place - 46th Floor  
Philadelphia, PA 19103  
(215) 568-3100

SIGNATURE

Chad Ziegler  
NAME

44,273  
REGISTRATION NUMBER



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/980,762	David B Weiner	UPAP-0495

INTERNATIONAL APPLICATION NO.	
PCT/US00/11310	
LA. FILING DATE	PRIORITY DATE
04/27/2000	

Mark DeLuca  
 Woodcock Washburn  
 One Liberty Place - 46th Floor  
 Philadelphia, PA 19103

CONFIRMATION NO. 8614

371 FORMALITIES LETTER



\*OC00000007371346\*

Date Mailed: 01/31/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination

RECEIVED  
 FEB 08 2001  
 Janet Griffin  
 WWKMN

RECEIVED  
 FEB 08 2001  
 DOCKET DEPT.  
 WWKMN

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of **\$360** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$360** for a Large Entity:

- Total additional claim fee(s) for this application is **\$360**
  - **\$360** for **20** total claims over 20.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 305-3744

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/980,762	PCT/US00/11310	UPAP-0495